

## REMARKS

After entry of this amendment, claims 1-6, 8, 10-14, 16-22, 24-28, 30-33, and 35-45 remain pending. In the present Office Action, claims 1-6 and 8-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by Thayer et al., U.S. Patent No. 5,168,568 ("Thayer"). Applicants respectfully traverse this rejection and request reconsideration.

### The Claims are Patentable over Thayer

Applicants respectfully submit that each of claims 1-6, 8, 10-14, 16-22, 24-28, 30-33, and 35-45 recite combinations of features not taught or suggested in Thayer. For example, each of claims 1 and 24 recites a combination of features including: "a plurality of agents coupled to said bus, each of the plurality of agents configured to arbitrate for said bus, and wherein a predetermined first agent of said plurality of agents is a default winner of an arbitration if none of said plurality of agents arbitrates for said bus during said arbitration, ... said arbitration scheme includes an arbitration priority of said plurality of agents, and wherein said first agent is changed from a current priority in said arbitration priority to a lowest priority in said arbitration priority in response to using said bus as said default winner".

The Office Action alleges that the CPU 12 in Fig. 6 is the first agent. Thayer teaches: "due to the extensive bus requirements of processor modules, the processors are assigned the lowest levels of arbitration priority" (Thayer, col. 12, lines 41-44). Thus, Thayer teaches an arbitration scheme in which the CPU 12 is fixed at the lowest level or priority. Thayer reinforces these teachings: "The bus implementation of the present invention can be generally described as having an essentially fixed prioritization of arbitrating units" (Thayer, col. 4, lines 48-51). Accordingly, Thayer does not teach or suggest "said first agent is changed from a current priority in said arbitration priority to a lowest priority in said arbitration priority in response to using said bus as said default winner" as recited in claims 1 and 24.

For at least the above stated reasons, Applicants submit that claims 1 and 24 are patentable over Thayer. Claims 2-6, 8, and 35-37, being dependent from claim 1, are

similarly patentable over Thayer for at least the above stated reasons as well. Each of claims 2-6, 8, and 35-37 recite additional combinations of features not taught or suggested in Thayer. Claims 25-28 and 41-43, being dependent from claim 24, are similarly patentable over Thayer for at least the above stated reasons as well. Each of claims 25-28 and 41-43 recite additional combinations of features not taught or suggested in Thayer.

Each of claims 10 and 30 recites a combination of features including: "said first circuit is configured to grant use of said bus to a first agent if none of said plurality of agents is arbitrating for said bus, said first agent predetermined to be granted ... said arbitration scheme includes an arbitration priority of said plurality of agents, and wherein said first agent is changed from a current priority in said arbitration priority to a lowest priority in said arbitration priority in response to using said bus granted in response to none of said plurality of agents arbitrating for said bus". The teachings of Thayer, highlighted above with regard to claims 1 and 24, do not teach or suggest the above highlighted features of claims 10 and 30 either. For at least the above stated reasons, Applicants submit that claims 10 and 30 are patentable over Thayer. Claims 11-14 and 38-39, being dependent from claim 10, are similarly patentable over Thayer for at least the above stated reasons as well. Each of claims 11-14 and 38-39 recite additional combinations of features not taught or suggested in Thayer. Claims 31-33 and 44-45, being dependent from claim 30, are similarly patentable over Thayer for at least the above stated reasons as well. Each of claims 31-33 and 44-45 recite additional combinations of features not taught or suggested in Thayer.

Claim 16 recites a combination of features including: "granting use of a bus to a first agent of a plurality of agents responsive to none of said plurality of agents arbitrating for said bus, said first agent predetermined to be granted ..said first agent using said bus in response to said granting; and changing an arbitration priority of said arbitration scheme in response to said first agent using said bus, said first agent changed from a current priority to a lowest priority in said arbitration priority". The teachings of Thayer, highlighted above with regard to claims 1 and 24, do not teach or suggest the above

highlighted features of claim 16 either. For at least the above stated reasons, Applicants submit that claim 16 is patentable over Thayer. Claims 17-22 and 40, being dependent from claim 16, are similarly patentable over Thayer for at least the above stated reasons as well. Each of claims 17-22 and 40 recite additional combinations of features not taught or suggested in Thayer.

Information Disclosure Statement (IDS)

Applicants filed an additional IDS on June 17, 2003 (just before the mailing date of the present Office Action). Applicants respectfully request consideration of the references included in that IDS and a return of the PTO-1449 form included therewith with the Examiner's initials and signature thereon evidencing such consideration.

## CONCLUSION

Applicants submit that the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5580-00700/LJM.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Request for Approval of Drawing Changes
- ☐ Notice of Change of Address
- ☐ Marked-up Copy of Amended Claims
- ☐ Marked-up Copy of Amended Paragraphs
- ☒ Fee Authorization Form authorizing a deposit account debit in the amount of \$108 for fees (\$108 for 6 excess claims over 20).
- ☐ Other:

Respectfully submitted,



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